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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,444

09/29/2003

Kenji Araki

117361

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01/07/2008

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ALEXANDRIA, VA 22320-4850

EXAMINER

TRINH, THANH TRUC

ART UNIT

PAPER NUMBER

1795

MAIL DATE

DELIVERY MODE

01/07/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No. 10/671,444	Applicant(s) ARAKI ET AL.	
	Examiner Thanh-Truc Trinh	Art Unit 1795	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 26 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_  
Claim(s) objected to: \_\_\_\_\_  
Claim(s) rejected: 3-20.  
Claim(s) withdrawn from consideration: 1 and 2.

#### AFFIDAVIT OR OTHER EVIDENCE


8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_

Continuation of 3. NOTE: The composition of the Markush group presented in claim 9 has been altered in a way that has not been presented in any prior version of the claim .

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues that the heat dissipating layer 23 of Haynos does not teach "a lower surface thereof (solar cell) is located below a surface of said heat dissipating layer. However, as seen in Figure 3, Haynos depicts the heat dissipating layer 23 rising a little bit above the bottom part of the interconnector 16 that attached to the solar cell 12. It is the Examiner's position that the interconnector is a part of the solar cell, therefore Haynos does teach a lower surface of the solar cell (or the bottom part of the interconnector) is located below a surface (or upper surface) of the heat dissipating layer 23. Applicant also argues that the layer 19 of Tourneux is improperly identified as being two layers, and "Tourneux never identifies the adhesive 19 as anything but an adhesive". The Examiner respectfully disagrees. As seen in Figure 4, Tourneux teaches all the elements of the solar panel during the assembly that the layer 19 is actually corresponding to two layers, top and bottom adhesive layers 51 and 42. The the combination of the bottom adhesive layer 42 (or the bottom part of layer 19) and inset plate 43 (or 16) reads on the claimed heat dissipating layer . Tourneux also teaches that the adhesive layer 19 is transparent (See abstract or col 4 lines 1-15 of Tourneux) and the top adhesive 19 as seen in Figure 1 (or the top adhesive layer 51 as seen in Figure 4) covers the solar cells 11 as seen in Figure 1 (or 45 as seen in Figure 4), therefore it is the Examiner's position that the top adhesive 19 in Figure 1 (or 51 in Figure 4) of Tourneux is a sealing layer of transparent resin. The rest of the Applicant's argument is directed to the altered Markush group, which will not be entered.



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